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In re Patent of	:	
Curtiss, et al.	:	
Patent No. 7,024,230	:	
Issue Date: April 4, 2006	:	Decision on Petition
Application No. 10/080,425	:	
Filing Date: February 22, 2002	:	
Attorney Docket No. UTL 00179	:	

This is a decision on the petition under 37 CFR § 1.183, filed April 25, 2006 (certificate of mailing date April 19, 2006), to waive the rules and accept the correction of the assignee data on the front page of the above-identified patent. The petition is also being treated as a request under 37 CFR 3.81 to accept the correction of the assignee data.

The petition under 37 CFR 1.183 is **dismissed as moot**.

The request under 37 CFR 3.81 is **dismissed**.

Effective June 25, 2004, 37 CFR 3.81(b) has been revised to no longer require the correction of the assignee data prior to issuance of the patent. Therefore, a petition to waive the rule is unnecessary. 37 CFR 3.81(b) currently states:

Any request for issuance of an application in the name of the assignee submitted after the date of payment of the issue fee, and any request for a patent to be corrected to state the name of the assignee, must state that the assignment was submitted for recordation as set forth in § 3.11 before issuance of the patent, and must include a request for a certificate of correction under § 1.323 of this chapter (accompanied by the fee set forth in § 1.20(a)) and the processing fee set forth in § 1.17(i) of this chapter.

In other words, the request under 37 CFR 3.81(b) will be granted when:

- (1) a request under 37 CFR 3.81 and the fee set forth in 37 CFR 1.17(i) are filed,

- (2) the assignment was submitted for recordation prior to issuance of the patent, and
- (3) a request for a certificate of correction and the fee set forth in 37 CFR 1.20(a) are submitted.

Petitioners have not met the requirements set forth above because a completed certificate of correction and a \$100.00 certificate of correction fee are both missing from the application file. Therefore, the request is dismissed.

Further correspondence with respect to this matter should be addressed as follows:

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The file is being forwarded to Files Repository.

Telephone inquiries should be directed to the undersigned at (571) 272-3230.



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